

ATTORNEY DOCKET NO  
039928.000006

PATENT  
10 / 700,242

### Remarks/ Arguments

In response to the Final Office Action mailed May 18, 2005, Applicant respectfully requests that the Examiner reconsider the remaining rejections of the claims. Applicant notes with appreciation the allowance of Claims 1 – 2, 4 – 19, and 28 – 30, and the allowability of Claims 24 – 27 over the prior art.

Claims 1-2 and 4-30 remain.

Claims 20 is being amended.

Claims 20 and 22 – 23 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Clair et al.* (U.S. Patent 3,362,730) (hereinafter "the *Clair* reference"). Additionally, Claims 20 and 21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Blakeley* (U.S. Patent 4,391,458) (hereinafter "the *Blakeley* reference"). Applicant respectfully traverses these rejections.

Applicant has amended independent Claim 20 to more particularly point out and distinctly claim that the retaining lip is disposed in parallel with a longitudinal axis of the outlet aperture. Neither of the *Clair* or *Blakely* references teaches this feature.

With regards to the *Clair* reference, lip 44 shown in FIGURE 5 is described in the text beginning at Col. 4, Line 51 as an "annular transverse sealing surface 44 formed as the bottom of an annular flange."

In the *Blakeley* reference, the lip 34 best shown in FIGURE 7, and discussed at Col. 6, Line 37 – 64. In this case, rather than being disposed in parallel with the longitudinal axis of the outlet aperture, lip 34 has a generally conical side surface 34a, and a generally half-circular upper surface 34b.

Claim 31 also stands rejected as being anticipated by the *Blakeley* reference. Applicant respectfully traverses this rejection since the *Blakely* reference does not teach gasket outlet having a pair of tapered surfaces on opposing longitudinal sides of the gasket outlet, wherein at least a portion of the tapered surfaces of the gasket are

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adapted to be compressed against a surface of a pipe disposed between the first and second sleeve members.

Specifically, projections 24 cited by the Examiner as being the equivalent of Applicant's tapered gasket surfaces, do not compress against a surface of a pipe. Instead, projections 24, which point away from the gasket ends 18, compensate for circumferential retraction of gasket portion 22b. These projections butt up and are compressed against the other end of the split gasket. (See, for example, *Blakeley*, Col. 4, Lines 19 – 38).

Additionally, as discussed by the Applicant and the Examiner during the telephonic interview of January 31, 2006, surface 22b shown in the *Blakeley* reference does not represent a pair of tapered surfaces on opposing longitudinal sides of a gasket outlet. Instead, surface 22b defines a circular surface which lies around the circumference of gap 16'.


No new matter has been added; the claims have been merely amended to more particularly claim the subject matter Applicant believes is inventive. Applicant respectfully submits that the Claims as they now stand are patentably distinct over the art cited during the prosecution thereof.

Additionally, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account Number 20-0821 of Thompson & Knight LLP.

If the Examiner has any questions or comments concerning this paper or the present application in general, the Examiner is invited to call the undersigned at (214) 969-1749.

Respectfully submitted,

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